

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

OLLIE GREENE, Individually as the §  
Surviving Parent of WYNDELL GREENE, §  
SR., et al., § CASE NO.: 3:11-CV-00207-N  
§  
Plaintiffs, §  
vs. § JURY TRIAL DEMANDED  
§  
TOYOTA MOTOR CORPORATION §  
et al., §  
§  
Defendants. §

**DEFENDANT VOLVO GROUP NORTH AMERICA, LLC'S  
MOTION TO EXCLUDE EXPERT TESTIMONY OF  
PLAINTIFFS' ECONOMIST STAN SMITH**

Defendant VOLVO GROUP NORTH AMERICA, LLC f/k/a VOLVO TRUCKS NORTH AMERICA, INC. ("VGNA") files this Motion to Exclude Expert Testimony of Plaintiffs' Economist Expert Stan Smith ("Smith"). VGNA moves the Court to exclude certain opinions offered by Smith pursuant to Rules 702 and 703 of the Federal Rules of Evidence. VGNA is concurrently filing a brief in support of this motion, as well as an appendix. The brief and appendix are incorporated for all purposes herein.

Respectfully submitted,



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**ATTORNEYS FOR DEFENDANT VOLVO  
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VOLVO TRUCKS NORTH AMERICA**

**CERTIFICATE OF SERVICE**

I do hereby certify that on March 17, 2014, a true and correct copy of the above and foregoing was forwarded to all counsel of record in accordance with the Federal Rules of Civil Procedure by electronic service through the court's ECF system in compliance with Federal Rules of Civil Procedure 5(b)(2)(E) and 5(b)(3).



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Randy Howry

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule 7.1, I have conferred with attorneys for other parties. I forwarded via email a list of all of the motions that Volvo intended to file today, March 17, 2014, in this matter, including this Motion. I requested any counsel who wished to confer on any aspect of the motion to contact me immediately. I stated that if no communication was received, I would presume that the motion was opposed. The date of my email to all parties was Friday, March 14, 2014. The reason that agreement could not be reached appears to be a fundamental disagreement between Plaintiffs and Volvo on the merits of the motions that Volvo is intending to file, including this one.

A handwritten signature in black ink, appearing to read "Randy Howry".

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Randy Howry